

***DRAFT***

**MINUTES OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO, NC**

REGULAR MEETING:

17 OCTOBER 2000

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Claudette Burroughs-White, Sandra G. Carmany, Yvonne J. Johnson, Earl F. Jones, Robert V. Perkins, Tom Phillips, Donald R. Vaughan and Nancy Vaughan. Absent: None. Also present were J. Edward Kitchen, City Manager; Linda Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

The meeting was opened with a moment of Silence and the Pledge of Allegiance to the flag. The Mayor recognized Cub Scout Pack 17, Den 15, who led the pledge of allegiance.

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The Manager recognized Reggie Lee, employee in the Engineering and Inspections Department who served as courier for the meeting.

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Councilmember Phillips presented the Mayor with a memento to commemorate the Mayor's recent remarks regarding cryogenics.

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Mayor Holliday stated that this was the time and place set to consider an ordinance rezoning from RS-40 Residential Single Family to Corporate Park for property located on the south side of Pleasant Ridge Road between Cude Road and Bringham Road. He stated this matter was being heard on appeal filed by Bonnie Mathews after receiving a vote of 1 to 7 by the Zoning Commission to recommend denial of the rezoning.

C. Thomas Martin, Director of the Planning Department presented slides, a land use map of the property and surrounding area, and a larger map of the general zoning pattern. He outlined the details of the rezoning.

The Mayor asked if anyone wished to speak to this matter.

Henry Isaacson, attorney with offices located at 101 West Friendly Avenue and representing Phillips Management Group in Greensboro, presented new information to Council that had not been presented at the Zoning Commission meeting. For illustrative purposes, Mr. Isaacson presented a site plan for the proposed rezoning. He reviewed a memo from a consulting engineering firm with respect to traffic capacity of surrounding roads and provided details of a Guilford County airport area land use plan and a zoning map of the area with respect to Piedmont Triad International Airport Authority noise cone. Mr. Isaacson requested Council to vote in favor of the Corporate Park zoning.

David Smith, residing at 729 Brigham Road, stated that his residence bordered the proposed rezoning and that he had no objections to the matter.

The following individuals spoke in opposition to the proposed rezoning.

Doug Easterling, residing at 8510 Masons Pond Drive, Colfax, NC, stated that the map presented to Council by staff did not reflect the areas zoned residential and agricultural just outside the map; he also

raised concerns about potential truck traffic and potential future airport changes. He requested Council to deny the proposal.

Lucinda Brogden, residing at 8510 Masons Pond Drive, Colfax, NC, expressed concerns about property values, change in character of the neighborhood and overdevelopment of corporate park land use in the area. She requested Council to deny the proposal.

Glen Cappel, residing at 2205 Brigham Road, spoke against the rezoning; he requested Council to vote against the proposed rezoning.

Darcey Green, residing at 8207 Quail Creek Drive, spoke to traffic concerns from a business in the area, the impact the rezoning could have on traffic, and requested Council to deny the proposal.

Candace Shoemaker, residing at 8509 Masons Pond Drive, Colfax, NC, spoke to safety concerns with respect to a potential increase in traffic and school bus routes on Pleasant Ridge Road. She requested Council to deny the rezoning request.

Richard Atkins, engineering consultant from Neil Schafer and Associates, with offices located at 2302 West Meadowview Road, spoke in favor of the rezoning on the basis of the firm's analysis of traffic data for the area of the proposed rezoning.

Council discussed at length the potential impact of the closing of Regional Road and possible changes in airport runways in the area of the rezoning; the impact on the area from noise related to current air traffic and traffic patterns of surrounding roads; and various aspects of the rezoning. Councilmember Phillips presented his concerns about future truck traffic in the area as the basis for his decision to vote against the rezoning.

Mr. Martin provided the following staff recommendation:

The Planning Department recommends that this request be approved.

There is an extended area of Corporate Park zoning on the east side of Brigham Road 300 feet from the boundary of the subject property.

Furthermore, there is an extensive area of CP and Conditional Use – Light Industrial zoning to the south between NC 68 and Pleasant Ridge Road.

Given the proximity of this area to the Piedmont Triad International Airport and the likely expansion of office, business park, and industrial development associated with the airport and the road network in this vicinity, staff feels that this area should be reserved for and developed under Corporate Park zoning to provide planned, campus-like sites for such business expansion.

Councilmember D. Vaughan moved to close the public hearing. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of the Council.

Councilmember D. Vaughan thereupon moved adoption of the ordinance. The motion was seconded by Councilmember Burroughs-White; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Vaughan and Vaughan. Noes: Phillips.

00-188 AMENDING OFFICIAL ZONING MAP

SOUTH SIDE OF PLEASANT RIDGE ROAD BETWEEN CUDE ROAD AND BRIGHAM ROAD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by rezoning from RS-40 Residential Single Family to Corporate Park uses for the area described as follows:

BEGINNING at a point in the southern right-of-way line of Pleasant Ridge Road, said point being the northeast corner of Lot 36, Tax Map 94-6997, Block 1057; thence along said southern right-of-way line S74°09'31"W 518.37 feet to a point; thence continuing along said southern right-of-way line S74°58'41"W 332.71 feet to a point, said point being the northwest corner of said Lot 36; thence leaving said southern right-of-way line S03°42'24"W 154.84 feet to a point; thence S03°57'24"W 339.59 feet to a point; thence S85°44'04"E 792.90 feet to a point; thence N05°08'17"E 680.98 feet to a point; thence along a line in a northeasterly direction 101.78 feet to the point and place of BEGINNING, containing approximately 11.598 acres.

(Signed) Donald R. Vaughan

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance amending Chapter 30 with respect to Zoning, Planning and Development to add tree preservation provisions. Melissa Bagley, Urban Forester for the City of Greensboro, presented a brief history with background information on the community's collaborative effort to develop the ordinance. Ms. Bagley outlined provisions of the ordinance with respect to tree conservation area requirements, procedures, use of penalties and various details of the ordinance. She stated the ordinance would be effective January 1, 2001.

Council briefly discussed the ordinance with respect to requirements for utility companies. The City Manager noted that the City was currently discussing an option to contract with Duke Power to perform tree cutting work. The Mayor recognized members of the tree ordinance committee, who were present in the chamber and expressed appreciation for their contributions; he thanked Ms. Bagley for her work in the process to address the interests of developers and environmentalists.

The Mayor asked if anyone wished to be heard.

Speaking in favor of the ordinance were Bill Payne, residing at 7501 Strawberry Road, Summerfield, NC; Emily Sandeen, residing at 419 Prestland Ave; Keith Francis, residing at 3610 Dogwood Drive; Carolyn Allen, residing at 2611 David Caldwell Drive; Eric Meadlock, residing at 3665 World Bluff Circle, High Point, NC; and Coolidge Porterfield, President of Starmount Corporation with offices located in Greensboro. They spoke to the committee's processes and value of the ordinance and requested Council to adopt the ordinance.

Councilmember Johnson moved to close the public hearing. The motion was seconded by Councilmember D. Vaughan and unanimously adopted by voice vote of the Council. Thereupon, Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Perkins; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-189 AMENDING CHAPTER 30

#### AN ORDINANCE AMENDING THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT

Section 1. That section 30-1-3, Purpose, is hereby amended by adding a new subsection to read as follows:

##### **"30-1-3.17 Tree Preservation Purposes**

The Tree Preservation regulations, adopted and prescribed in this Ordinance, are found by the City Council to be necessary and appropriate to:

- (A) Assure the appearance of Greensboro contributes ecologically and aesthetically to the growth and economic prosperity of the City.
- (B) Assure the integrity of the urban forest is preserved and maintained during and after the development process.
- (C) Provide a flexible, realistic, effective ordinance that is viewed as an asset to the community.”

Section 2. That Section 30-2-1, Definition Index, is hereby amended by adding the following in alphabetical sequence:

“Critical Root Zone 30-2-2.7

Diameter at Breast Height (DBH) 30-2-2.7

Tree Conservation Area (TCA) 30-2-2.7”

Section 3. That Section 30-2-2.7, General, is hereby amended by adding the following definitions in alphabetical sequence:

“Critical Root Zone. The critical root zone shall include a radius around the tree equal to one foot for every one (1) inch of DBH from the tree trunk as measured at the ground level from the root flare.

Diameter at Breast Height (DBH). Diameter-at-breast-height is a standard measure of tree size, and is a tree trunk diameter measured in inches at a height of 4 ½ feet above the ground. If a tree splits into multiple trunks below 4 ½ feet, then the trunk is measured at its most narrow point beneath the split.

Tree Conservation Area (TCA). The tree conservation area is one or more areas of a site, which includes existing trees and their critical root zones. The purpose of the TCA is to encourage the preservation of healthy tree that are four (4) inches or greater in diameter at breast height (DBH).”

Section 4. That Section 30-3-2, Permit Exemptions, is hereby amended by adding a new subsection to read as follows:

**“30-3-2.5 Land Disturbance Permit Exemptions.**

Land Disturbance Permits are not required for any of the following land disturbing activities:

- (A) Single family detached dwellings or two-family dwellings on their own lots.
- (B) Multifamily developments containing eight (8) or fewer dwelling units on a single zone (building) lot.
- (C) Properties within or surrounded by the Central Business (CB) District.
- (D) Property lines abutting railroad rights-of-way and utility easements in excess of sixty (60) feet in width.
- (E) Property lines abutting dedicated street right-of-way, which has remained unopened for a period of at least fifteen (15) years.

- (F) Tree removal on 3,000 square feet or less, after the City Urban Forester or Enforcement Officer has determined that such removal is not associated with a forthcoming development proposal and will not be inconsistent with any plan previously approved by the City or County.
- (G) Property covered by an active forestry management plan written by a North Carolina Registered Forester, provided documentation has been furnished to the City Urban Forester."

Section 5. That Section 30-3-3, Permits, is hereby amended by adding a new subsection to read as follows:

**"30-3-3.6 Land Disturbance Permit: A land disturbance permit is an official authorization with shall be issued by the City prior or simultaneous to the issuance of a grading permit and prior to any land disturbing activities, including the cutting of live trees four (4) inches DBH or greater on sites not accompanied by a development plan, except as stated in 30-5-4.1(A) (Exemptions)."**

Section 6 That Section 30-3-4.1, Order of Issuance, is hereby amended by adding a new subsection to read as follows:

- "(C) Land Disturbance Permits: Land Disturbance Permits shall be issued in advance or simultaneous to other permits and approvals including watershed development plans and grading permits."

Section 7 That Section 30-3-5, Permit Expiration, is hereby amended by adding a new subsection to read as follows:

**"30-3-5.3 Land Disturbance Permit Expiration.**

- (A) Expiration: If the work authorized by a Land Disturbance Permit has not been completed within one (1) year from the date of issuance, the permit shall become null and void unless renewed pursuant to Section 30-3-5.3 (B).
- (B) Renewal: The Land Disturbance Permit may be renewed for an additional one hundred eighty (180) days by making a written request to the Enforcement Officer justifying the need for the permit renewal. No fee will be required for renewal of the Land Disturbance Permit."

Section 8. That section 30-5-4, Landscaping Requirements, is hereby amended to read as follows:

**"30-5-4 LANDSCAPING AND TREE PRESERVATION REQUIREMENTS**

**30-5-4.1 Applicability**

- (A) Exemptions: The ~~These~~ requirements of Section 30-5-4 shall not apply to the uses and activities listed below. Any applicable requirements of Sections 30-7-1 (Water Supply Watershed Districts), 30-7-2 (General Watershed Areas), 30-7-3 (Watershed Critical Areas), and 30-7-4 (Soil Erosion and Sedimentation Control) still apply.
  - 1) Single family detached dwellings or two-family dwellings on their own lots;
  - 2) Multifamily developments containing eight (8) or fewer dwelling units on a single zone (building) lot;
  - 3) Properties within or surrounded by the Central Business (CB) District;

- 4) Property lines abutting railroad rights-of-way and utility easements in excess of sixty (60) feet in width; ~~and~~
- 5) Property lines abutting dedicated street right-of-way, which has remained unopened for a period of at least fifteen (15) years;
- 6) Tree removal on 3,000 square feet or less, after the City Urban Forester or Enforcement Officer has determined that such removal is not associated with a forthcoming development proposal and will not be inconsistent with any plan previously approved by the City or County;
- 7) Property covered by an active forestry management plan written by a North Carolina Registered Forester, provided documentation has been furnished to the City Urban Forester.

(B) Application: These requirements shall apply to the following:

- 1) New Principal Building or Use: Principal buildings or open uses of land constructed, reconstructed, or established after ~~the adoption of this ordinance~~ June 30, 1992.
- 2) Changes in Use: Changes in use, which result in an increase of two (2) or more in the Land Use Classification number. The requirements of this section shall be applicable to the entire zone lot.
- 3) Expansions: All expansions of buildings, parking areas, or open uses of land, except the first three thousand (3,000) square feet of expansions to buildings, parking areas, or open uses of land existing on ~~the effective date of this ordinance~~ June 30, 1992. The requirements of this section shall be applicable only to the expansion.
- 4) Land Disturbance: All other activities for which a land disturbance permit is required by Section 30-5-4.6(D) (Land Disturbance Permit).

~~(C) Reduction in Parking Requirements for Pre Existing Developments: To allow compliance with the landscaping regulations, the number of required off street parking spaces may be reduced by the Enforcement Officer up to ten percent (10%).~~

#### **30-5-4.2.1 Planting Yards and Tree Conservation Area (TCA)**

(A) Planting ~~Yard~~ Area Descriptions:

- 1) Street Planting Yard: A planting area parallel to a public street designed to provide continuity of vegetation along the right-of-way and a pleasing view from the road. No more than fifteen percent (15%) of the street planting yard may be used for walkways or signs. Parking, merchandise display, and off-street loading are prohibited in the street planting yard.
- 2) Type A Planting Yard: A high-density screen intended to block substantially visual contact between adjacent uses and create spatial separation. A Type A planting yard reduces lighting and noise, which would otherwise intrude upon adjacent uses.
- 3) Type B Planting Yard: A medium density screen intended to partially block visual contact between uses and create spatial separation.

- 4) Type C Planting Yard: A low-density screen intended to partially block visual contact between uses and create spatial separation.
- 5) Type D Planting Yard: A peripheral planting strip intended to separate uses, provide vegetation in densely developed areas, and enhance the appearance of individual properties.
- 6) Parking Lot Plantings: Planting areas within and adjacent to parking areas designed to shade and improve the attractiveness of large areas of pavement.

(B) Required Planting Areas: The following areas are required to be landscaped:

- 1) ~~Street~~ Planting yards;
- 2) Parking lots (excluding vehicle loading, storage, and display areas);
- 3) Areas with slopes greater than 3:1.

(C) Critical Root Zone: To preserve existing trees within the designated TCA, the critical root zone of the trees shall be preserved. The critical root zone will include a radius around the tree equal to one foot for every one (1) inch of DBH from the tree trunk as measured at the ground level from the root flare. It is recommended to save the entire critical root zone of each preserved tree. If the entire critical root zone cannot be preserved, tree roots must be cut prior to grading of the site. Should the critical root zone have to be disturbed, the disturbed area shall extend no closer to the protected tree's trunk than the distance specified below:

| <u>Diameter of Tree (DBH)</u> | <u>Minimum Distance</u>            |
|-------------------------------|------------------------------------|
| <u>4 – 8 inches</u>           | <u>1 foot for every 1 inch DBH</u> |
| <u>8 – 22 inches</u>          | <u>8 feet</u>                      |
| <u>22 –30 inches</u>          | <u>9 feet</u>                      |
| <u>30+ inches</u>             | <u>10 feet</u>                     |

Disturbance within the critical root zone will be allowed only on one side of the tree(s) to be saved and only with prior approval by the City Urban Forester.

(D) Tree Conservation Area Description

- 1) Tree Conservation Area: A Tree Conservation Area (TCA) is one or more areas of a site which includes existing trees and their critical root zones. The purpose of the TCA is to encourage the preservation of healthy trees that are four (4) inches or greater in diameter at breast height (DBH).
- 2) Extent of TCA: TCA shall be provided in accordance with the chart below. If trees of four (4) inches or greater DBH exist within or partially within these areas, such trees must be saved to the extent possible. The area will be designated TCA and shall not be disturbed except as allowed herein.

| <u>SIZE OF PARCEL</u>          | <u>TCA REQUIRED TO INCLUDE</u>  |
|--------------------------------|---|
| <u>0-55,000 sq. ft.</u>        | <u>1% of lot area, and be located within the required planting yard.</u>                              |
| <u>55,000 sq. ft.- 5 acres</u> | <u>All trees four (4) inches or greater DBH which are located within the required planting yards.</u> |
| <u>5.01 - 10 acres</u>         | <u>All trees four (4) inches or greater DBH which are located</u>                                     |

|                              |  |
|------------------------------|--|
|                              | <u>within the required planting yard or within fifteen (15) feet of the side or rear property lines, whichever is greater.</u>   |
| <u>Greater than 10 acres</u> | <u>All trees four (4) inches or greater DBH which are located within the required planting yard or within twenty-five (25) feet of the side and rear property lines, whichever is greater.</u> |

- 3) No development shall be required to have the TCA exceed fifteen percent (15%) of the total site.
- 4) If there are trees that meet the TCA requirements on other areas of the site, the landowner may request that the required TCA be designated around such trees instead of the usual locations.
- 5) Other Provisions: The requirements of this section may be modified to permit the establishment of the TCA (see 30-5-4.5 Flexibility Standards).
- 6) Smaller Trees: Trees less than four (4) inches DBH within the TCA may be preserved at the landowner's option and counted toward planting yard requirements as provided herein.
- 7) TCA Selection: In selecting which existing tree stands are to be designated as TCA, the landowner shall give due consideration to building, parking lot, driveway, street and utility location as they relate to the practicality of preservation and shall use the following tree preservation priority list:
  - (a) Existing stands of mature hardwoods as highest priority, then
  - (b) Existing stands of younger hardwoods, then
  - (c) Existing specimen trees (as determined by the City Urban Forester or Enforcement Officer), then
  - (d) Existing stands of hardwoods and pine mix, and lastly
  - (e) Existing stands of pine trees. Preservation of single pine trees is not encouraged.
- 8) If it is necessary to pick among two or more stands of trees within a category listed above, the following priority list shall be used:
  - (a) Type A planting yards, as a first priority, then
  - (b) Type B planting yards, then
  - (c) Type C planting yards, then
  - (d) Type D planting yards, and lastly
  - (e) Street planting yards.

(E) Relationship of the TCA and Planting Yards:

- 1) All trees of appropriate size and type preserved in the TCA shall be credited toward meeting all or part of the planting yard requirements, except for the street planting yard where there shall be at least one canopy tree, existing or planted,



within every fifty (50) linear feet of street planting yard, and the minimum eight (8) foot width shall not be reduced.

- 2) Any area in a TCA shall count as a portion of a planting yard or parking lot planting area.
- 3) No new landscaping is required within a TCA unless it is contiguous to existing single family development and it is needed to shield abutting parking lots, access drives, loading areas and outside storage.

### 30-5-4.3 Planting Yard Determination

To determine the planting yards required by this ~~ordinance~~ Section 30-5-4 Landscaping and Tree Preservation Requirements, the following steps shall be taken:

- (A) Identify the classification of the proposed or expanded land use and of each existing adjacent land use(s) by using Table 30-4-5-1 (Permitted Use Schedule). A proposed land use is considered existing on an adjacent property when a building permit is issued. If a zone lot contains uses with different land use classifications, select the higher numbered classification. If the development qualifies as an integrated multiple use development (refer to definition in Section 30-2-2.7 (General)), the entire development shall be treated as a single zone lot for planting yard and TCA purposes and its land use classification (LUC) shall be that classification applicable to the highest number of uses in the development. (For example, an integrated shopping center containing seven (7) establishments with LUCs of "3" and three (3) establishments with LUCs of "4" shall be classified as a "3".)
- (B) Use the Planting Yard Chart, Table 30-5-4-1, to determine the appropriate letter designation for each planting yard.
- (C) Match the letter designation obtained from the Planting Yard Chart with the Planting Yard and Parking Lot Rate Chart, Table 30-5-4-2, to determine the types and numbers of shrubs and trees required.

| TABLE 30-5-4-1<br>PLANTING YARD CHART |                         |                        |   |   |   |                       |             |
|---------------------------------------|-------------------------|------------------------|---|---|---|-----------------------|-------------|
| <u>EXISTING ADJACENT USE(S)</u>       |                         |                        |   |   |   |                       |             |
| Proposed Use                          | Land Use Classification | <u>Least Intensive</u> | → | → | → | <u>Most Intensive</u> | Undeveloped |
| <u>Least Intensive</u>                | 1                       | *                      | * | * | * | *                     | *           |
| ↓                                     | 2                       | C                      | D | D | D | D                     | D           |
| ↓                                     | 3                       | B                      | B | D | D | D                     | D           |
| ↓                                     | 4                       | A                      | A | C | D | D                     | D           |
| <u>Most Intensive</u>                 | 5                       | A                      | A | B | C | D                     | D           |
| * No Planting Yard Requirement        |                         |                        |   |   |   |                       |             |

TABLE 30-5-4-2  
PLANTING YARD AND PARKING LOT RATE CHART

| <u>PLANTING RATES</u>  |                     |                     |                     |                         |                      |                 |
|--|---------------------|---------------------|---------------------|-------------------------|----------------------|-----------------|
| Type   | Average Width (ft.) | Minimum Width (ft.) | Maximum Width (ft.) | Canopy Tree Rate        | Understory Tree Rate | Shrubs Rate     |
| Street Yard  | 8                   | 8                   | 25                  | 2/100 lf (b)            | 4/100 lf (b)         | 17/100 lf (c)   |
| Type A Yard  | 50 (a)              | 40 (a)              | 75                  | 4/100 lf (d)            | 10/100 lf (e)        | 33/100 lf (c,f) |
| Type B Yard  | 30 (a)              | 25 (a)              | 50                  | 3/100 lf                | 5/100 lf             | 25/100 lf (c)   |
| Type C Yard  | 20 (a)              | 15 (a)              | 40                  | 2/100 lf (b)            | 3/100 lf             | 17/100 lf (c)   |
| Type D Yard  | 5                   | 5                   | 10                  |                         | 2/100 lf             | 18/100 lf (c)   |
| Parking Lot  | NA                  | NA                  | NA                  | 1/12 parking spaces (b) | NA                   | NA              |
| <p>a) <u>Walls, a minimum of five (5) feet in height constructed of masonry, stone or pressure treated lumber, or an opaque fence, a minimum of five (5) feet in height, may be used to reduce the widths of the planting yards by ten (10) feet <u>providing such reductions do not disturb the critical root zone of existing trees.</u></u></p> <p>b) <u>In street <u>planting</u> yards, Type C and Type D planting yards and parking lots, understory trees may be substituted for canopy trees at the rate of two (2) understory trees for <del>each required</del> <u>every</u> canopy tree.</u></p> <p>c) <del>One understory tree may be substituted for each required canopy tree if the Technical Review Committee determines that there would be a major conflict with overhead utility lines.</del> <u>Canopy trees may be substituted for shrubs at the rate of eight (8) shrubs per canopy tree and understory trees may be substituted for shrubs at the rate of five (5) shrubs per understory tree if approved by the <u>Urban Forester or Enforcement Officer.</u></u></p> <p>d) <u>Twenty-five (25) feet on center.</u></p> <p>e) <u>Ten (10) feet on center.</u></p> <p>f) <u>Three (3) feet on center.</u></p> <p>NOTE: <del>On lots of record, (Prior to the effective date of this ordinance)</del> <u>(Prior to July 1, 1992) less than fifty-five thousand (55,000) sq. ft. in area, no development shall be required to place required landscaping on greater than fifteen percent (15%) of the site.</u><br/>(SEE APPENDIX 5 ILLUSTRATIONS.)</p> |                     |                     |                     |                         |                      |                 |

#### 30-5-4.4 Landscaping Design and Maintenance Standards

- (A) Calculation of street planting yards: Street planting yard rate and width calculations shall exclude access drives.
- (B) Plant Species: Species used in required ~~street~~ planting yards and parking lots, ~~and Planting Yards~~ shall be of a locally adapted nature. Refer to the recommended plant species list in Appendix 6 (Landscaping). Other species may be approved by the City Urban Forester or Enforcement Officer.
- ~~(C) Dimensions of Planting Areas: Each planting area containing trees, including those located in the parking lots, shall have a minimum inside dimension of seven (7) feet and shall have a minimum area of at least two hundred (200) square feet.~~

- (C) Canopy Tree Size: Canopy trees must be a minimum of ~~eight (8) feet high and~~ two (2) inches in caliper, measured six (6) inches above grade, when planted. When mature, a canopy tree should be ~~at least~~ forty (40) feet high and have a minimum crown width of thirty (30) feet.
- (D) Understory Tree Size: Understory trees must be a minimum of ~~four (4) feet high and~~ one (1) inch in caliper, measured six (6) inches above grade, when planted. When mature, an understory tree should be twenty-five (25) to forty (40) feet high.
- ~~(E) Parking Lot Spacing: Required canopy tree areas shall be distributed throughout the parking lots and shall be located within or adjacent to parking lots as tree islands, at the end of parking bays, inside medians, or between rows of parking spaces.~~
- (E) Shrub Size and Type: All approved shrubs planted parallel to the edge of parking lots, access drives, loading and unloading areas and outside storage shall be evergreen and installed at a minimum size of eighteen (18) inches, spread or height, and reach a minimum height of thirty-six (36) inches and a minimum spread of thirty (30) inches within three (3) years of planting. All other shrubs may be evergreen or deciduous and shall be three (3) gallon in size as per ANSI standards at the time of installation.
- (F) Parking Lot Planting Areas for Parking Lots Not Containing Existing Trees: Each parking lot planting area containing trees shall have a minimum inside dimension of seven (7) feet and shall have a minimum area of at least two hundred (200) square feet. Grouping of parking lot trees within the same island is strongly encouraged, even if this would decrease the number of islands otherwise built within the parking lot. Each parking lot tree shall be planted in a minimum of 200 square feet unless the City Urban Forester or Enforcement Officer approves a smaller island based on the mature height of that tree species. (See Appendix 6 (Landscaping))

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For new parking lots where trees are not being preserved within or adjacent to the parking lot, in order to meet the parking lot planting requirements, required canopy tree areas shall be located within the parking lots and adjacent to parking spaces as planting areas between rows of parking spaces, inside medians, at the end of parking bays, or in tree islands. The landowner may provide required planters using one or more of the planter sizes below. Each parking space must be entirely within the designated distance of a parking lot planter as specified below:

| <u>Size of parking lot planter</u> | <u>Number of trees in planter</u> | <u>Distance</u> |
|------------------------------------|-----------------------------------|-----------------|
| <u>200-499 sq. ft.</u>             | <u>1</u>                          | <u>100 ft.</u>  |
| <u>500-899 sq. ft.</u>             | <u>3</u>                          | <u>130 ft.</u>  |
| <u>900+ sq. ft.</u>                | <u>5</u>                          | <u>150 ft.</u>  |

- (G) Grouping: For the Type B, C and D planting yards, Shrubs and trees may be grouped or clustered in the required planting yards, however no more than fifty percent (50%) of each required plant material may be grouped or clustered. except for the perimeter landscaping adjacent to parking lots, outside storage, access drives and loading and unloading areas. The remainder of the materials shall be distributed throughout the planting yard. There shall be at least one row of evergreen shrubs or evergreen understory trees in all Type A planting yards.
- (H) Berm Size: Any berm shall have a minimum height of three (3) feet, a minimum crown width of three (3) feet and a side slope no greater than 3:1 (3 horizontal to 1 vertical).
- (I) Wall Planters: Wall planters shall be constructed of masonry, stone, or pressure treated lumber stamped for ground contact (AWPB LP-22 1980 or equivalent). The minimum

height of the wall planter shall be thirty (30) inches. The minimum height of shrubs in the wall planter shall be six (6) inches. The effective planting area of the wall planter shall be four (4) feet in width. If the wall planter is to contain trees, the effective planting width shall be seven (7) feet.

- (J) Encroachments Permitted in Required Planting Yards and the TCA: ~~The following are permitted in required planting yards provided the landscaping requirements are met and there is no interference with any sight area:~~

- 1) The following are permitted in required planting yards provided the landscaping requirements are met and there is no interference with any sight area:

- a) Landscaping features, including but not limited to, ornamental pools, planting boxes, sculpture, arbors, trellises, and birdbaths.
- b) Pet shelters, at-grade patios, play equipment, outdoor furniture, ornamental entry columns and gates, flagpoles, lampposts, address posts, HVAC equipment, mailboxes, outdoor fireplaces, public utility wires and poles, pumps, wells, fences, retaining walls, or similar structures.
- c) Cornices, steps, canopies, overhanging eaves and gutters, window sills, bay windows or similar architectural features, chimneys and fireplaces, fire escapes, fire balconies, and fire towers may project not more than two and one-half (2 1/2) feet into any required planting yard, but in no case shall be closer than three (3) feet to any property line.
- d) Handicap ramps except for porches and landings.
- e) Steps not connected to any above-grade structure.

- 2) The following are permitted in the required TCA provided there is no disturbance to the critical root zone of the preserved trees.

- a) Landscaping features including planting boxes, sculpture, arbors, trellises and birdbaths.
- b) Outdoor furniture, ornamental entry columns and gates, flagpoles, lampposts, address posts, mailboxes, public utility wires and poles, fences, retaining walls, or similar structures.
- c) Cornices, steps, canopies, overhanging eaves and gutters, window sills, bay windows or similar architectural features, chimneys and fireplaces, fire escapes, fire balconies, and fire towers which project not more than two and one-half (2 1/2) feet into any required TCA.
- d) Handicap ramps except for porches and landings.
- e) Steps not connected to any above-grade structure.

- (K) Setback Less Than Planting Yard: If the required building setback is less than the required planting yard width or TCA, the building setback shall control, reducing the required planting yard width only alongside the building. The planting rate of the required planting yard shall still apply.

- (L) Location of Planting Material Outside Shade of Building: Where a building is located less than ten (10) feet from a property line, and the planting yard would be heavily shaded by buildings on both sides of the property line, the required trees and shrubs may be planted outside the shaded area to improve survivability.
- (M) Obstructions: Landscaping shall not obstruct the view of motorists using any street, driveway, or parking aisle.
- (N) Location: Required trees and shrubs shall not be installed in street rights-of-way. Required trees and shrubs may be placed in water quality conservation easements. Required trees and shrubs may be planted in electric utility easements below overhead lines and in drainage maintenance and utility easements by approval of the Technical Review Committee.
- (O) Plant Protection: Whenever planting areas are adjacent to parking lots or drives, the planting areas shall be protected from damage by vehicles, lubricants, or fuels.
- (P) Maintenance: The landowner is responsible for maintaining all required plant materials and planting areas in good health and appearance. Any dead, unhealthy, or missing plants (preserved or planted) shall be replaced with new plant material equal to the number of credited trees planted or preserved, subject to the provisions of 30-5-4.7 (Provisions for Preservation of Existing Trees). This plant material shall be sized according to the requirements of Section 30-5-4.4 (Landscaping Design and Maintenance Standards), and shall be replanted within one hundred and eighty (180) days with vegetation which conforms to the initial planting rates and standards. ~~When plant material is severely damaged due to unusual weather conditions or acts of God, the owner shall have two (2) years to replant.~~

*[30-5-4.5 Procedures moved to section 30-5-4.6]*

#### **30-5-4.5 Flexibility Standards**

- (A) Stream Buffer Credits: Properties falling under the Stormwater Management Control Requirements which are required to maintain an undisturbed stream buffer may use some or all the buffer to satisfy the required TCA if that undisturbed stream buffer contains trees that are a minimum of four (4) inches in diameter at breast height (DBH).
- (B) Reforestation Credits: In situations where TCA requirements cannot be met based on site conditions and when approved by the City Urban Forester, reforestation efforts on the property can be used to satisfy up to half of the required TCA.
- (C) Tree Preservation Adjacent to or Within the Parking Lot and Parking Lot Plantings:
  - 1) For new, expanded, or rebuilt parking lots where trees are being preserved adjacent to the parking lot in order to meet the parking lot planting requirements, trees preserved in a TCA and within eight (8) feet of the parking lot may be used to satisfy up to fifty (50) percent of the required number of parking lot trees. TCA that is “notched into” corners or edges of a parking lot is deemed to be within the parking lot, not adjacent to it. Trees in the TCA counted toward planting yard requirements may not count for required parking lot trees. Extra trees in such locations do count.
  - 2) It is the landowner’s option to save trees within the parking lot. In order to do so, the critical root zone must be preserved. Credits for preserving parking lot trees are determined by the critical root zone preserved for the tree being saved (see 30-5-4.2(C) Critical Root Zone). One tree for every 200 square feet of

critical root zone preserved may be used to satisfy up to fifty percent (50%) of the required number of parking lot trees.

- (D) Reduction in Parking Requirements: To allow an existing development to retrofit parking to conform to the landscaping regulations, or to allow an existing or new development to preserve trees within or adjacent to a parking lot, the number of required off-street parking spaces may be reduced by the City Urban Forester or Enforcement Officer by up to ten percent (10%).
- (E) Rate of Credit: Credits in the required planting yards for the protection of existing trees within the designated TCA shall be allowed at the rates specified below:

| <u>Diameter of Tree</u> | <u>Number of Trees Credited</u> |
|-------------------------|---------------------------------|
| <u>4 - 7.9 inches</u>   | <u>1 tree</u>                   |
| <u>8 - 22.9 inches</u>  | <u>2 trees</u>                  |
| <u>23 - 29.9 inches</u> | <u>3 trees</u>                  |
| <u>30+ inches</u>       | <u>4 trees</u>                  |

- (F) The City Urban Forester or Enforcement Officer shall have the authority to allow reduced planting yards or to waive the planting yard requirements to allow for a greater TCA in another area or make other exceptions which meet the spirit and intent of this section. Additionally, if the City Urban Forester or Enforcement Officer concludes that due to existing unusual or unique site characteristics, preserving some or all required trees in the TCA(s) would create an undue or unreasonable hardship, then the protection of some or all of required trees in the TCA(s) may be waived.

*[30-5-4.6 Alternate Methods of Compliance moved to section 30-5-4.9]*

#### **30-5-4.6 Procedures**

- (A) ~~Landscaping Plan Required Approval: Prior to obtaining a building permit~~ Landscaping Plan Required Approval: Prior to obtaining a building permit An applicant must receive approval of a landscape plan from the Enforcement Officer, except ~~that site plans submitted in accordance with Section 30-3-11.4(B)2), may include a conceptual landscaping plan and delay submission of the landscaping plan for up to~~ in which case a landscape plan must be submitted within ninety (90) days after issuance of the building permit.
- (B) Installation of Plant Materials:
- 1) Installation of plant material shall occur prior to the issuance of a Certificate of Compliance.
  - 2) If at the time of a request for a Certificate of Compliance, the required planting areas are not complete and it can be determined that:
    - a) plant materials are unavailable,
    - b) completion of the planting areas would jeopardize the health of the plant materials, or
    - c) weather conditions prohibit completion of the planting areas, then the installation of plant materials may be deferred by the Enforcement Officer. The ~~developer~~ landowner shall submit a copy of a signed contract for installation of the required planting areas and may be required to post a surety equal to the amount of the contract. In no instance shall the surety be for a period greater than one hundred and eighty (180) days. The Enforcement Officer may issue a Temporary

Certificate of Compliance but shall not issue a Certificate of Compliance until the planting areas have been completed and approved.

- (C) Tree Protection Plan Approval: Approval of a tree protection plan is required for all projects, except those listed in subsection 30-5-4.1(A) (Exemptions), and shall be submitted along with all other necessary drawings to the Technical Review Committee. Tree protection items shall be included on all grading plans, erosion control plans and land disturbance permit plans.

- 1) Drawings shall identify the following items:
  - a) Boundaries of the required TCA;
  - b) Required planting yards, planting yard rates and plant sizes;
  - c) Protected trees within the TCA including tree size and type;
  - d) Critical root zone of each proposed protected tree or group of trees;
  - e) Limits of clearing and land disturbance;
  - f) Grading;
  - g) Trenching;
  - h) Required tree protection measures including required fencing and signage;
  - i) Overhead and underground utilities and easements;
  - j) Areas of reforestation, if any;
  - k) Stream buffers, if any;
- 2) The following required notes shall be indicated on tree preservation plans, erosion control plans, grading plans and land disturbance permit plans in capital letters:
  - a) Contact the Department of Planning to arrange a pre-construction meeting prior to or jointly with the Erosion Control section of the Engineering and Inspections Department prior to any land disturbance.
  - b) All tree protection measures shall be installed and inspected by the City Urban Forester or Enforcement Officer prior to any land disturbance activities.
  - c) Removal or damage of trees in the TCA will be subject to the penalties established in 30-5-4.8 of the Section 30-5-4 Landscaping and Tree Preservation Requirements.
- 3) These plans shall be reviewed by the City Urban Forester or Enforcement Officer for conformance with applicable provisions of this Section, 30-5-4 Landscaping and Tree Preservation Requirements and for tree and vegetation viability. The plans will either be approved or returned for revisions. Reasons for return shall be noted on the proposed plan.

- 4) All tree protection measures shall be installed and inspected by the City Urban Forester or Enforcement Officer prior to land disturbance.
  - 5) The City Urban Forester or Enforcement Officer will conduct follow-up site inspections for enforcement of the tree protection requirements of the UDO.
- (D) Land Disturbance Permit: A land disturbance permit is an official authorization which shall be issued by the City prior or simultaneous to the issuance of a grading permit and prior to any land disturbing activities, including cutting of live trees four (4) inches DBH or greater on sites not accompanied by a development plan, except as stated in 30-5-4.1(A) (Exemptions).
- 1) Requirements for a Land Disturbance Permit:
    - a) Identify the TCA as specified in 30-5-4.2(D).
    - b) The TCA as required for a site based on lot size, as determined in 30-5-4.2(D)2) must be met.
    - c) Submit a tree preservation plan as specified in 30-5-4.6(C) (Tree Protection Plan Approval).
- (E) Reforestation of slopes greater than 3:1.
- 1) Areas having slopes greater than 3:1 must be reforested to provide tree cover over the entire area. The following standards apply:
    - a) Reforestation shall include a minimum of one (1) tree per two hundred (200) square feet of surface area and shall be made up of evergreen or deciduous hardwood trees that are a minimum of twelve (12) inches high at planting
    - b) The trunk of any required tree shall be no closer than ten (10) feet from any other existing tree.
- (F) Tree Removal Inside the Critical Root Zone (TCA): Trees less than four (4) inches DBH not being preserved, undergrowth and plant material in poor condition may be removed from the TCA. No roots shall be removed from the TCA. Stumps may be removed only by grinding. All requests for tree removal within the TCA must have prior approval by the City Urban Forester or Enforcement Officer pursuant to the provisions of this chapter. However, in an emergency situation due to storm damage; to alleviate an imminent hazard to the health, safety and welfare of the citizens; or to repair property damage, prior approval for tree removal in previously approved designated areas is not required.
- 
- All removal of said material shall be done or supervised by an experienced urban forester, landscape architect or certified arborist, who will certify that the tree and root removal or pruning was done in accordance with standard arboricultural practices.
- 
- Any tree within the TCA including the critical root one, which the landowner chooses to remove or that must be removed due to poor health or impractical means of preservation shall be removed in a manner that is in accordance with standard arboricultural practice so as to cause as little disturbance or harm to those trees intended to be saved as practical.

### **30-5-4.7 Provisions for Preservation of Existing Trees**



- (A) General: Any existing tree or group of trees which stands within or near a required planting area and meets or exceeds the standards of ~~this Ordinance~~ Section 30-5-4 Landscaping and Tree Preservation Requirements may be used to satisfy the tree requirements of the planting area. The protection of tree stands, rather than individual trees, is strongly encouraged.
- (B) Protection of Existing Trees: To receive credit, trees must be protected from direct and indirect root damage and trunk and crown disturbance. The following standards shall apply:
- 1) The ~~protected area around trees~~ TCA shall include land within the ~~canopy drip line~~ critical root zone as provided in this section.
  - 2) Construction site activities such as parking, material storage, dirt stockpiling and concrete washout shall not be permitted within ~~tree protection areas~~ the TCA.
  - 3) Changes that significantly raise the grade of soil adjacent to the TCA shall be avoided.
  - 4) A reasonable effort should be made to have utility line trenches and similar uses avoid the TCA. Due to certain site conditions, where disturbance within the TCA is unavoidable, underground tunneling or directional boring of utilities is preferred. Trenching shall be used only as the last alternative and root pruning equipment specifically designed for that purpose shall be used.
  - 5) Protective fencing shall be installed around ~~tree protection areas~~ the TCA prior to any land disturbance. Such fences ~~may~~ shall be at least four (4) feet high and ~~may~~ shall consist of ~~snow fencing or orange~~ polyethylene safety fencing. Fencing shall remain in place until construction is complete and other landscaping has been installed, and the City Urban Forester or Enforcement Officer has approved its removal.
  - 6) The TCA should be designated as such with "Tree Conservation Area" signs posted visibly on the outside of the fenced-in area. Signs may not be posted on the trees.
- (C) Evaluation of Specimen Trees and Stand of Trees: Existing specimen trees and stands of trees must meet the following conditions to be considered for the TCA:
- 1) **A life expectancy of greater than 10 years;**
  - 2) **A relatively sound and solid trunk with no extensive decay;**
  - 3) **No major insect or pathological problems.**
- (D) Dead or Unhealthy Trees:
- 1) No credit will be allowed for any dead tree, any tree in poor health, or any tree subjected to grade alterations.
  - 2) Except for storm damage, the death of any tree used for preservation credit within five (5) years of site development shall require the landowner to plant new trees equal to the number of credited trees. After five (5) years any tree(s) that were used for preservation credit that die shall require a replacement canopy tree(s) be replanted in accordance with 30-5-4.4 (C) (Canopy Tree Size).

- 3) The City Urban Forester may require trees left standing outside of the tree protection areas to be removed if improperly protected or determined to be hazardous.

### **30-5-4.8 Penalties**

- (A) The penalty for the removal of or damage to trees, which should be preserved as specified in Section 30-5-4 Landscaping and Tree Preservation Requirements or grading into a TCA prior to the issuance of a land disturbance permit, grading permit or erosion control permit shall be a civil penalty of ten thousand (10,000) dollars per acre of TCA destroyed. (For purposes of this section the acreage of TCA destroyed will be rounded up to the nearest whole acre.)
- (B) The penalty for removal of protected tree(s) after the issuance of a land disturbance permit, grading permit, erosion control permit or TRC approval, within a required TCA without approval by the City Urban Forester shall result in a civil penalty as determined by the City Urban Forester, up to the amount shown in the chart below, in addition to the replacement of those trees with quality specimens native to North Carolina.

| <b><u>DBH of Tree Removed<br/>or Damaged</u></b> | <b><u>Maximum Civil<br/>Penalty</u></b> | <b><u>Replacement<br/>(4 inch DBH minimum)</u></b> |
|--|---|--|
| <b><u>4" DBH - 11.9" DBH</u></b>                 | <b><u>\$800</u></b>                     | <b><u>1 tree</u></b>                               |
| <b><u>12" DBH - 20.9" DBH</u></b>                | <b><u>\$1600</u></b>                    | <b><u>2 trees</u></b>                              |
| <b><u>21" DBH - 28.9" DBH</u></b>                | <b><u>\$2400</u></b>                    | <b><u>3 trees</u></b>                              |
| <b><u>29" DBH - 35.9" DBH</u></b>                | <b><u>\$3200</u></b>                    | <b><u>4 trees</u></b>                              |
| <b><u>36"+ DBH</u></b>                           | <b><u>\$4000</u></b>                    | <b><u>5 trees</u></b>                              |

- (C) Tree Removal without a Land Disturbance Permit: \$500 per day for failure to secure a valid land disturbance permit prior to conducting tree removal, including the cutting of trees greater than 4 (four) inches DBH, for which a land disturbance permit is required.
- (D) Failure to Install Tree Protection Devices: \$500 per day for failure to install approved tree protection measures sufficient to protect the TCA.
- (E) Removal/violation of the orange tree protection fencing or unauthorized encroachment within the TCA will result in an ordinance violation in accordance with Article 8 (Enforcement).

### **30-5-4.9 Alternate Methods of Compliance**

- (A) General Provisions:
- 1) Alternate landscaping plans, plant materials, planting methods or reforestation may be used where unreasonable or impractical situations would result from application of landscaping or tree preservation requirements. Such situations may result from streams, natural rock formations, topography, or other physical conditions; or from lot configuration, utility easements, unified development design, or unusual site conditions.
  - 2) The Enforcement Officer may approve an alternate plan, which proposes different plant materials or methods provided that quality, effectiveness, durability, and performance are equivalent to that required by this ~~ordinance~~ Section 30-5-4 Landscaping and Tree Preservation Requirements.
  - 3) The performance of alternate landscaping plans or tree preservation plans shall be reviewed by the City Urban Forester or Enforcement Officer to determine if

the alternate plan meets the intent and purpose of this ~~ordinance~~ Section 30-5-4 Landscaping and Tree Preservation Requirements. This determination shall take into account the land use classification of adjacent property, number of plantings, species, arrangement and coverage, location of plantings on the lot, and the level of screening, height, spread, and canopy of the plantings at maturity.

- 4) Decisions of the Enforcement Officer regarding alternate methods of compliance for landscaping may be appealed to the Technical Review Committee as requests for modifications. Decisions of the City Urban Forester regarding alternate methods of compliance for tree preservation and reforestation may be appealed to the Advisory Commission on Trees (ACT).
- 5) Appeals from a decision of the Advisory Commission on Trees (ACT) with regard to alternate methods of compliance shall be to the Board of Adjustment in the nature of certiorari.

(B) [RESERVED]"

Section 9 That Article IX, Administration, is hereby amended by adding a new section to read as follows:

**“30-9-13 ADVISORY COMMISSION ON TREES (ACT)**

**30-9-13.1 Authority.**

An Advisory Commission on Trees (ACT) is hereby established pursuant to NCGS 160A-174.

**30-9-13.2 Membership.**

- (A) Number of Members: The ACT shall be composed of nine (9) members who shall be appointed by the City Council for terms to expire as of August 15.
- (B) Qualification for Membership: Members shall be residents of the City.
- (C) Composition. Members shall be composed of one (1) certified arborist, one (1) landscape architect or landscape designer, one (1) horticulturist or botanist, two (2) members of the builder/contractor/developer community, one (1) civil engineer, two (2) active members of a recognized environmental group, and one (1) individual who has demonstrated an interest in conservation and natural resources.

**30-9-13.3 Quorum.**

Five (5) members of the Advisory Commission on Trees shall constitute a quorum. The concurrence of at least a majority of those members present will be required before any recommendation or action is made on any matter considered.

**30-9-13.4 Powers and Duties.**

The Advisory Commission on Trees shall have the following powers and duties:

- (A) To provide professional expertise for developing program goals and policy;
- (B) To evaluate and monitor current regulations for effectiveness, and recommend appropriate changes regarding the Tree Preservation Ordinance to the City Council;

- (C) To conduct educational programs with respect to tree preservation within its jurisdiction;
- (D) To review and provide recommendations for the long term tree management and maintenance plan for the City;
- (E) To gather information from the public, development and business communities with respect to the Tree Preservation Ordinance;
- (F) To review appeals, orders, requirements, decisions, determinations, or interpretations made by an administrative official charged with enforcing the Tree Preservation Ordinance;
- (G) To make recommendations to the BOA with reference to variances with relation to the provisions of the Tree Preservation Ordinance;
- (H) Approve minor variations to the Tree Preservation Ordinance that provide equal or better compliance.”

Section 10 All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

This ordinance shall become effective on and after January 1, 2000.

Signed (Yvonne Johnson)

.....

The Mayor stated that this was the time and place set for a public hearing to consider a resolution closing Harrington Street from Martin Luther King , Jr. Drive southwestward to Plymouth Street, a distance of approximately 300 feet. Mr. Martin commented briefly on the proposal.

The Mayor asked if anyone wished to be heard.

There being no one wishing to speak to this matter, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

198-00 RESOLUTION CLOSING HARRINGTON STREET – FROM MARTIN LUTHER KING, JR. DRIVE SOUTHWESTWARD TO PLYMOUTH STREET, A DISTANCE OF APPROXIMATELY 300 FEET

WHEREAS, the owners of all of the property abutting both sides of Harrington Street requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, October 17, 2000 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned street have requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

HARRINGTON STREET – FROM MARTIN LUTHER KING, JR. DRIVE  
SOUTHWESTWARD TO PLYMOUTH STREET, A DISTANCE OF APPROXIMATELY 300  
FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Claudette Burroughs-White

.....

The Mayor stated that this was the time and place set for a public hearing to consider a resolution closing Mount Carmel Street from Pisgah Church Road westward to its end, a distance of approximately 426 feet. Mr. Martin commented briefly on the proposal.

The Mayor asked if anyone wished to be heard.

There being no one wishing to speak to this matter, Councilmember D. Vaughan moved adoption of the resolution. The motion was seconded by Councilmember Jones; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

199-00 RESOLUTION CLOSING MOUNT CARMEL STREET – FROM PISGAH CHURCH ROAD  
EASTWARD TO ITS END, A DISTANCE OF APPROXIMATELY 426 FEET

WHEREAS, the owners of a majority of the property abutting both sides of Mount Carmel Street have requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, October 17<sup>th</sup>, 2000 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
GREENSBORO:

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned street have requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

MOUNT CARMEL STREET – FROM PISGAH CHURCH ROAD EASTWARD TO ITS END,  
A DISTANCE OF APPROXIMATELY 426 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Donald R. Vaughan

.....

The Mayor stated that this was the time and place set for a public hearing to consider a resolution closing Viola Street from Mount Carmel Street northeastward to its end, a distance of approximately 868 feet. Mr. Martin commented briefly on the proposal.

The Mayor asked if anyone wished to be heard.

There being no one wishing to speak to this matter, Councilmember Perkins moved adoption of the resolution. The motion was seconded by Councilmember D. Vaughan; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

**200-00 RESOLUTION CLOSING VIOLA STREET – FROM MOUNT CARMEL STREET  
NORTHEASTWARD TO ITS END, A DISTANCE OF APPROXIMATELY 868 FEET**

WHEREAS, the owners of a majority of the property abutting both sides of Viola Street requested in writing that said street be closed to the general public and the City's interest therein released;

WHEREAS, a notice was duly published that a public hearing would be held by the City Council in the Council Chamber in the Municipal Office Building on Tuesday, October 17, 2000 at 6:00 p.m. on the closing of said street;

WHEREAS, the public hearing has now been held and no objections have been made to the closing thereof;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
GREENSBORO:**

1. That the City Council hereby finds as a fact that the owners of all of the property abutting both sides of the hereinafter mentioned street have requested in writing that said street be closed to the general public and the City's interest therein released.

2. That the City Council hereby finds as a fact that the closing of the street to the general public is not contrary to the public interest and that no individual or other party owning property in the vicinity of the street or in the subdivision in which the street is located will be deprived of reasonable means of ingress or egress to his or its property.

3. That the following street is hereby permanently closed to the general public and the City's interest therein released:

VIOLA STREET – FROM MOUNT CARMEL STREET NORTHEASTWARD TO ITS END, A  
DISTANCE OF APPROXIMATELY 868 FEET

4. That the City of Greensboro hereby reserves a utility easement over each existing utility line located in the above mentioned street until such time as said line is no longer required by the City.

(Signed) Robert V. Perkins

.....

Moving to the Consent Agenda, the Mayor introduced the following ordinances as required by law in the Greensboro Code of Ordinances:

- Ordinance amending in the amount of \$20,000 the State and Federal Grant Fund Budget for Drug Suppression Activities in Greensboro through a joint operation with the U.S. Department of Housing and Urban Development
- Ordinance amending in the amount of \$15,000 the State and Federal Grant Fund Budget for Police Drug Suppression Activities in Greensboro through the Joint Operations/Task Force with the United States Drug Enforcement Administration.
- Ordinance amending in the amount of \$104,589 the State and Federal Grant Project Fund Budget for FY 00/01 Department of Crime Control and Public Safety Grant Award.
- Ordinance amending in the amount of \$62,500 State and Federal Grants Fund Budget for FY 2000-2001 Parks and Recreation Lake Brandt Greenway Project.

Councilmember Perkins moved the adoption of the Consent Agenda. Before a vote was taken, the Manager stated that someone wished to speak to items 10 and 11 on the Consent Agenda. Councilmember Perkins moved that items 10 and 11 be removed from the consent agenda. The motion was seconded by Councilmember Jones and adopted by an 8-1 voice vote of Council.

Councilmember D. Vaughan thereupon moved adoption of the amended Consent Agenda. The motion was seconded by Councilmember Johnson; the Consent Agenda was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

.....

00-190 ORDINANCE AMENDING THE STATE AND FEDERAL GRANT PROJECT FUND  
BUDGET FOR FY 00/01 DEPARTMENT OF CRIME CONTROL AND PUBLIC SAFETY  
GRANT AWARD

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appropriation for the State and Federal Grants Fund be increased as follows:

| Account          | Description             | Amount           |
|------------------|-------------------------|------------------|
| 220-3556-01.6053 | Personnel Computers     | \$57,000         |
| 220-3556-01.6059 | Other Capital           | \$36,000         |
| 220-3556-01.5212 | Computer Software       | \$5,600          |
| 220-3556-01.5235 | Small Tools & Equipment | <u>\$5,989</u>   |
| Total            |                         | <b>\$104,589</b> |

And, that this increase be financed by increasing the following State and Federal Grants Fund accounts:

| <u>Account</u>   | <u>Description</u> | <u>Amount</u>    |
|------------------|--------------------|------------------|
| 220-3520-01.7110 | State Grant        | \$78,442         |
| 220-3520-01.7104 | Federal Forfeiture |                  |
| <u>\$26,147</u>  |                    |                  |
| Total            |                    | <b>\$104,589</b> |

(Signed) Donald R. Vaughan

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00-191 ORDINANCE AMENDING STATE AND FEDERAL GRANTS FUND BUDGET FOR FY  
2000-2001 PARKS AND RECREATION LAKE BRANDT GREENWAY PROJECT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State and Federal Grant Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the State and Federal Grants Fund be increased as follows:

| <u>Account</u>   | <u>Description</u>           | <u>Amount</u>   |
|------------------|------------------------------|-----------------|
| 220-5056-01.5627 | Maintenance & Repair - Other | \$50,000        |
| 220-5056-01.5928 | In-Kind Services             | <u>12,500</u>   |
| <b>Total</b>     |                              | <b>\$62,500</b> |

and, that this increase be financed by increasing the following State and Federal Grants Fund accounts:

| <u>Account</u>   | <u>Description</u>     | <u>Amount</u>   |
|------------------|------------------------|-----------------|
| 220-5056-01.7110 | State Grant            | \$50,000        |
| 220-5056-01.8695 | Local In-Kind Services | <u>12,500</u>   |
| <b>Total</b>     |                        | <b>\$62,500</b> |

(Signed) Donald R. Vaughan

.....

192-00B RESOLUTION APPROVING TELECOMMUNICATIONS FRANCHISE  
AGREEMENT BETWEEN THE CITY OF GREENSBORO AND AT&T  
CORPORATION

WHEREAS, in May, 1995, the City Council adopted a new Telecommunications Ordinance;

WHEREAS, AT&T Corporation has applied for a franchise to provide long distance  
telecommunication;

WHEREAS, such agreement which is presented herewith this day contains the terms and  
conditions and the franchise fees to be paid to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF  
GREENSBORO:



That the proposed Telecommunications Franchise Agreement between the City of Greensboro and AT&T Corporation, is hereby and in all respects approved and the Mayor and the City Clerk are hereby authorized to execute said Agreement on behalf of the City with an executed original Agreement to be placed on file with the City Clerk's Office.

(Signed) Donald R. Vaughan

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The following roll call vote was recorded for the FIRST READING of a resolution approving telecommunications Franchise Agreement between the City of Greensboro and A T & T Corporation.  
Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan.  
Noes: None.

(Signed) Donald R. Vaughan

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193-00B            RESOLUTION AUTHORIZING CHANGE ORDER IN CONTRACT NO. 2000-15A  
                      WITH VIA ELECTRIC, INC. FOR THE MITCHELL FILTER PLANT  
                      IMPROVEMENTS

WHEREAS, Contract No. 2000-15A with Via Electric, Inc. provides for Mitchell Filter Plant Improvements;

WHEREAS, a larger flow meter is required to measure wash water flow and PVC coated rigid conduits are needed for increased safety and corrosion resistance, thereby necessitating a change order in the contract in the amount of \$43,706.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That a change order in the above-mentioned contract with Via Electric, Inc. for the Mitchell Filter Plant Improvements is hereby authorized at a total cost of \$43,706.00, payment of said additional amount to be made from Account No. 509-7063-01.6019, CBR 001.

(Signed) Donald R. Vaughan

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194-00B            RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF  
                      CONTRACT NOS. 2000-00027 A, C AND D WITH BROOKS GENERAL  
                      CONSTRUCTION CO. FOR GENERAL CONSTRUCTION; J.N. MAYBERRY &  
                      SONS FOR MECHANICAL WORK AND STARR ELECTRIC FOR ELECTRICAL  
                      WORK FOR THE GREENSBORO TRANSIT AUTHORITY, PHASE II  
                      CONSTRUCTION PROJECT

WHEREAS, after due notice, bids have been received for improvements for the general, mechanical and electrical construction work for the Greensboro Transit Authority, Phase II construction project;

WHEREAS, bids were received in the single/multi prime format with the low bids as follows:  
General: Brooks General Construction Co. in the amount of \$286,643.00; Mechanical: J. N. Mayberry & Sons in the amount of \$210,600.00 and Electrical: Starr Electric in the amount of \$162,454.00 which bids, totaling \$659,697.00, in the opinion of the City Council, are the best bids from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bids hereinabove mentioned submitted by Brooks General Construction Co., J. N. Mayberry & Sons and Starr Electric are hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro proper contracts to carry the proposals into effect, payment in the amount of \$382,056.00 to be made from Account No. 565-4535-01.6013; in the amount of \$121,001.00 to be made from Account No. 564-4531-01.5413 and in the amount of \$156,640.00 to be made from Account No. 564-4531-01.6013.

(A tabulation of bids for mechanical and electrical work for the Greensboro Transit Authority Phase II construction project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

(Signed) Donald R. Vaughan

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195-00B            RESOLUTION AUTHORIZING AND APPROVING SALE OF A  
TELECOMMUNICATION EASEMENT AND AN ACCESS EASEMENT IN THE  
AMOUNT OF \$500.00 ACROSS PORTION OF PROPERTY LOCATED AT 801-813  
CONE BOULEVARD TO SOUTHERN BELL TELEPHONE AND TELEGRAPH  
COMPANY

WHEREAS, Southern Bell Telephone and Telegraph Company has requested a telecommunication easement and an access easement from the City for a portion of the property located at 801-813 Cone Boulevard;

WHEREAS, the proposed site for the telecommunications easement is 900 square feet with the access easement being 12' x15' as shown on the attached map;

WHEREAS, it is deemed in the best interest of the City to approve the sale of the telecommunication easement and the access easement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the sale of the 900 square foot telecommunication easement and the 12'x15' access easement in the amount of \$500.00 to Southern Bell Telephone and Telegraph Company is hereby approved.

(Signed) Donald R. Vaughan

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Motion to approve minutes of regular meeting of September 19 and 3 October was unanimously adopted.

.....

The Mayor introduced an ordinance amending in the amount of \$20,000 the State and Federal Grant Fund Budget for Drug Suppression Activities in Greensboro through a joint operation with the U.S. Department of Housing and Urban Development.

Eric Medlock, residing at 3665 Laurel Bluff Circle, stated that he was against the proposed ordinance items number 10 and 11; he spoke to his political party affiliation and offered his opinion that the ordinances conflicted with the U.S. Bill of Rights.

Councilmember D. Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-197 ORDINANCE AMENDING THE STATE AND FEDERAL GRANT FUND BUDGET FOR  
DRUG SUPPRESSION ACTIVITIES IN GREENSBORO THROUGH A JOINT OPERATION  
WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appropriation for the State and Federal Grants Fund be increased as follows:

| Account          | Description | Amount       |
|------------------|-------------|--------------|
| 220-3557-01.4210 | Overtime    | \$17,270     |
| 220-3557-01.4510 | F.I.C.A.    | 290          |
| 220-3557-01.4520 | Retirement  | <u>2,440</u> |
| Total            |             | \$20,000     |

And, that this increase be financed by increasing the following Federal Grants Fund accounts:

| Account          | Description   | Amount   |
|------------------|---------------|----------|
| 220-3557-01.7100 | Federal Grant | \$20,000 |

(Signed) Donald R. Vaughan

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The Mayor introduced an ordinance amending the state and federal grant fund budget for police drug suppression activities in Greensboro through the Joint Operations/Task Force with the United States Drug Enforcement Administration. The Mayor asked if anyone wished to be heard. There being no one wishing to speak to the item, Councilmember D. Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Burroughs-White and adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

00-198 ORDINANCE AMENDING THE STATE AND FEDERAL GRANT FUND BUDGET FOR  
POLICE DRUG SUPPRESSION ACTIVITIES IN GREENSBORO THROUGH THE JOINT  
OPERATIONS/TASK FORCE WITH THE UNITED STATES DRUG ENFORCEMENT  
ADMINISTRATION

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the appropriation for the State and Federal Grants Fund be increased as follows:

| Account          | Description | Amount       |
|------------------|-------------|--------------|
| 220-3558-01.4210 | Overtime    | \$12,950     |
| 220-3558-01.4510 | F.I.C.A.    | 220          |
| 220-3558-01.4520 | Retirement  | <u>1,830</u> |

|       |  |          |
|-------|--|----------|
| Total |  | \$15,000 |
|-------|--|----------|

And, that this increase be financed by increasing the following State and Federal Grants Fund accounts:

| Account          | Description   | Amount   |
|------------------|---------------|----------|
| 220-3558-01.7100 | Federal Grant | \$15,000 |

(Signed) Donald R. Vaughan

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Mayor Holliday introduced an ordinance amending in the amount of \$300,000 the General Fund Budget for Transportation to account for the Peek Traffic, Inc. (Red Light Camera) Contract.

Councilmember D. Vaughan stated he had concerns about this budget ordinance with respect to infringement on personal freedom. He further stated that it was his understanding there would be no direct cost to the City to operate the program and requested a follow up report in one year. Council discussed similar programs in other municipalities and research that supported the program's benefits in public safety and the use of police resources for other purposes.

Mike Mabe, representing the Greensboro Department of Transportation, spoke to the time frame for implementation of the program.

Councilmember Jones moved the adoption of the ordinance. The motion was seconded by Councilmember Carmany, the ordinance was adopted on the following roll call vote: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, and N. Vaughan. Noes: D. Vaughan.

00-193      ORDINANCE AMENDING THE GENERAL FUND BUDGET FOR TRANSPORTATION  
TO ACCOUNT FOR THE PEEK TRAFFIC, INC. (RED LIGHT CAMERA) CONTRACT

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the FY 00-01 Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the General Fund be increased as follows:

| <u>Account</u>   | <u>Description</u>        | <u>Amount</u>    |
|------------------|---------------------------|------------------|
| 101-4510-02.5429 | Other Contracted Services | <u>\$300,000</u> |

and, that this increase be financed by increasing the following General Fund account:

| <u>Account</u>   | <u>Description</u>          | <u>Amount</u>    |
|------------------|-----------------------------|------------------|
| 101-4510-02.7350 | Red Light Camera Violations | <u>\$300,000</u> |

(Signed) Earl Jones

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Mayor Holliday introduced a resolution in support of higher education bonds to assist North Carolina's Community Colleges and Universities in meeting their facility needs and accommodating their students.

Speaking in favor of the higher education bonds were: Bill Geter, Dean of Guilford County Community College Greensboro Campus, located at 400 West Whittington Street; Lesley A. Renwick, Chancellor of NC A&T State University located at 1601 East Market Street; and Patricia A. Sullivan, residing at 711 Sunset Drive. They requested Council to adopt the resolution. Ms. Sullivan explained financial aspects of the bonds, suggested purposes the funds would be used for in the state's higher education system, and distributed promotional materials to the Council.

Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Burroughs-White, Carmany, Holliday, Johnson, Jones, Perkins, Phillips, Vaughan and Vaughan. Noes: None.

196-00B            RESOLUTION IN SUPPORT OF HIGHER EDUCATION BONDS TO ASSIST  
NORTH CAROLINA'S COMMUNITY COLLEGES AND UNIVERSITIES IN  
MEETING THEIR FACILITY NEEDS AND ACCOMMODATING THEIR  
STUDENTS

WHEREAS, higher education has historically played a tremendous role in building the State of North Carolina into the thriving economic, cultural, and social leader that it is today;

WHEREAS, North Carolina's community colleges and universities allow citizens of this State to learn the skills necessary to compete in today's and tomorrow's competitive economy;

WHEREAS, North Carolina's systems of higher education are acclaimed as being among the best in the country;

WHEREAS, in the next decade, our community colleges expect more than 57,000 new students to enroll, and our universities' enrollment will grow by more than 48,000 students;

WHEREAS, our higher education campuses must upgrade and construct academic, residential and administrative facilities, including critical laboratory and classroom space, to accommodate the growing numbers of students;

WHEREAS, the \$3.1 billion bond package approved by the General Assembly will assist our community colleges and universities in meeting their significant facility needs;

WHEREAS, the bonds are subject to voter approval on the November 2000 ballot and deserve rightful consideration by the citizens of this State;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council strongly supports the higher education bond proposal because it will enable our systems of higher education to better educate tomorrow's students and maintain North Carolina's place as the national leader in higher education learning and training.
2. That the City Council pledges to work to educate and inform the citizens of our State about the importance of the bonds in improving our community colleges and universities, and pledges to encourage voters to approve the bonds this November.

(Signed) Claudette Burroughs-White

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Councilmember Carmany added the name of Susan Mills to the boards and commissions data bank for consideration for future service.

Councilmember Carmany moved that Charlotte Dumencich be appointed to serve a term on the War Memorial Coliseum Commission; this term will expire 15 August 03. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of the Council.

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Councilmember Perkins moved that Donald Sparrow be appointed to serve a term on the Greensboro Board of Adjustment; this term will expire 15 June 01. The motion was seconded by Councilmember D. Vaughan and unanimously adopted by voice vote of the Council.

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On behalf of the Westerwood Neighborhood, Councilmember Johnson inquired about the process required to become a historic district. The Manager stated that staff had received correspondence from the neighborhood and was currently providing that information.

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Councilmember Burroughs-White added the name of Barton Edwards to the boards and commissions data bank for consideration for future service.

.....

Councilmember N. Vaughan placed the name of Rex Rodriguez in the boards and commissions data bank for consideration for future service.

.....

Councilmember D. Vaughan moved that Richard "Dick" Grubar be appointed to the War Memorial Coliseum Commission. The motion was seconded by Councilmember Phillips and unanimously adopted by voice vote of the Council.

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Councilmember Phillips requested Council to revisit the City's economic development incentives policy to consider providing greater benefit to targeted underdeveloped areas in Greensboro. It appeared to be the consensus of Council to revisit the policy. The Manager offered to provide information in a briefing during January or February of 2001.

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The Mayor announced that he had received notification from Syngenta Corporation regarding their decision to locate in Greensboro.

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The Manager distributed to Council a draft of the 2001 schedule of Council meetings for their review prior to taking formal action at the November 7, 2000 Council meeting. He noted that because November 7 was Election Day, the time of that meeting had been rescheduled for 4:00 p.m.

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Councilmember Johnson moved to adjourn the meeting. The motion was seconded by Councilmember Perkins and unanimously adopted by voice vote of the Council.

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The City Council adjourned at 8:45 p.m.

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Susan E. Crotts  
Deputy City Clerk

Keith A. Holliday  
Mayor

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